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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,001	10/17/2001	John D. Doyle	EMP04-09	5503

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EXAMINER

PHAM, TUAN

ART UNIT PAPER NUMBER

2643

DATE MAILED: 10/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,001

Applicant(s)

DOYLE ET AL.

Examiner

TUAN A. PHAM

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-10 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 11-13 are objected to because of the following informalities: The "HDLC circuit" is not addressed in the specification. The applicant should spell out what is the HDLC stand for. Appropriate correction is required.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3, and 5-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-3, and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohammadian et al. (U.S. Patent No.: 6,738,454, hereinafter, "Mohammadian") in view of Ryan et al. (U.S. Patent No.: 6,516,053, hereinafter, "Ryan").**

Regarding claim 1, Mohammadian teaches a method of providing a multiple interface system (see figure 1) comprising the steps of:

providing a first module having a first physical telecommunication interface and running a first telecommunications protocol (see figure 1, base unit 10, female connector, T1 protocol, col.9, ln.14-20, col.10, ln.64-67, col.11, ln.1-4),

providing a second module having a second physical telecommunication interface (see figure 1, application module, male connector 26, col.9, ln.14-20, col.10, ln.64-67, col.11, ln.1-4), the second physical interface being different from the first physical telecommunication interface (see figure 1, male connector 26, female connector, col.9, ln.14-20, col.10, ln.64-67, col.11, ln.1-4), the second module running the first telecommunication protocol (see col.5, ln.8-13, col.9, ln.14-20, col.10, ln.11-37, both base unit 10 and application module are running the same T1 protocol for testing); and

sharing a resource from the second module with the first module (see col.9, ln.1-13, col.10, ln.11-37).

It should be noticed that Mohammadian fails to teach a second module is running a second protocol, which is different than the first protocol. However, Ryan teaches a second module (read on Hub 14) is running a second protocol which is different than the first protocol (see figure 1b, Hub 14, test module 16a-16c are running on different protocol such as POTS, T1/E1, ISDN and xDSL, the Hub 14 is supporting different protocol such as POTS, T1/E1, ISDN and xDSL when all the test module are connected at the same time, col.6, ln.30-62, col.7, ln.52-67).

Regarding claim 2, Mohammadian further teaches the first physical telecommunications interface and the second physical telecommunications interface are selected from the group consisting of T1, E1, T3 and E3 (see col.9, ln.15-20).

Regarding claim 3, Mohammadian further teaches the resource comprises a digital signal processor (DSP) (see figure 2, DSP 66).

Regarding claim 5, Mohammadian further teaches the step of providing a communications path between the first module and second module (see figure 2, col.10, ln.11-37).

Regarding claim 6, Mohammadian further teaches the step of changing a configuration of the system from one associated with the first physical telecommunications interface to one associated with the second physical telecommunications interface (see col.7, ln.1-8, col.10, ln.11-37).

Regarding claim 7, Mohammadian further teaches the step of making the interface channels appear contiguous across the first physical telecommunications interface and the second physical telecommunications interface (see col.17, ln.30-57, the user can select the test with T1 or voice frequency protocol when two module is connected and continue to transfer the information between the two modules).

Regarding claim 8, Mohammadian further teaches at least one of the first module and the second module comprise an audio enabled module (see figure 2, audio subsystem 48).

5. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohammadian et al. (U.S. Patent No.: 6,738,454, hereinafter, "Mohammadian") in view of Ryan et al. (U.S. Patent No.: 6,516,053, hereinafter, "Ryan") as applied to claim 1 above, and further in view of Weller (U.S. Patent No.: 6,662,211).

Regarding claim 9, Mohammadian and Ryan, in combination, fails to teach the first module and the second module utilize Pulse Code Modulated (PCM) audio streams. However, Weller teaches such features (see col.1, ln.25-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Weller into view of Mohammadian and Ryan, in order to encode an analog voice signal into a digital bit stream.

Regarding claim 10, Weller further teaches the PCM audio stream comprises an audio stream selected from the group comprising Mu-law encoded audio and A-law encoded audio (see col.1, ln.25-33).

Allowable Subject Matter

6. Claim 13 is allowed.

7. Claims 11-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (571) 272-7499 and

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Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2643
October 18, 2005
Examiner

Tuan Pham


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600